

**HOUSE JOURNAL  
60TH LEGISLATURE  
TWENTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
February 2, 2007

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Witte. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fourth, fifth, and sixth legislative days, find the same to be correct.

L. Jones, Chair

Representative Wiseman moved to suspend the rules to sing happy birthday to Dania Jones, daughter of Representative L. Jones. There being no objections, so ordered.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (L. Jones, Chairman): 2/2/2007  
Correctly printed: **HB 41, HB 44, HB 290, HB 358, HB 390.**  
Correctly engrossed: **HB 90, HB 94, HB 136, HB 139, HB 167, HB 201, HB 259, HB 347.**  
Correctly enrolled: **HB 41.**  
Signed by the Speaker at 11:41 a.m., February 2, 2007: **HB 41.**

**FISH, WILDLIFE AND PARKS** (Milburn, Chairman): 2/2/2007  
**HB 199**, introduced bill, be amended as follows:

1. Title, line 9.  
**Following:** "STATE"  
**Insert:** "MAY"

2. Page 2, line 1.  
**Following:** "donor"  
**Strike:** "must"  
**Insert:** "may, at the donor's option,"

And, as amended, do pass. Report adopted.

**HB 264**, introduced bill, be amended as follows:

1. Title, line 4.  
**Following:** "BOAT"  
**Insert:** "OR THE SHORE IN A LAKE OR RESERVOIR"

2. Page 1, line 15.  
**Following:** "boat"  
**Insert:** "or the shore in a lake or reservoir"

3. Page 1, line 16.  
**Following:** "control"

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**Insert:** " , in accordance with rules that the commission shall adopt"  
And, as amended, do pass. Report adopted.

**HUMAN SERVICES** (Stoker, Chairman):  
**HB 148**, introduced bill, be amended as follows:

2/1/2007

1. Page 1, line 30.

**Strike:** "aquatic therapy or"

2. Page 2, line 7.

**Following:** "pool"

**Insert:** "that is"

**Following:** "bathing"

**Strike:** "or therapeutic use"

3. Page 2, line 8 through page 2, line 9.

**Strike:** "therapeutic pool" on page 2, line 8 through "whirlpool," on page 2, line 9

**Following:** "hot tub" on line 9

**Strike:** ", "

And, as amended, do pass. Report adopted.

**HB 154**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Following:** "53-20-102,"

**Insert:** "53-20-112,"

2. Page 3, line 16.

**Following:** line 15

**Insert:** "**Section 2.** Section 53-20-112, MCA, is amended to read:

**"53-20-112. Procedural rights -- appointment of counsel.** (1) A respondent has all the rights accorded to a person subject to involuntary commitment proceedings under the laws of this state relating to involuntary commitment of a person who suffers from a mental disorder and who requires commitment, as provided in 53-21-115 through 53-21-118.

(2) In addition, the parents or guardian of a respondent ~~have~~ has the right to:

(a) be present at any hearing held pursuant to this part;

(b) be represented by counsel in any hearing;

(c) offer evidence and cross-examine witnesses in any hearing; and

(d) have the respondent examined by a professional of ~~their~~ the parents' or guardian's choice when a professional is reasonably available; unless the person chosen is objected to by the respondent or by a responsible person appointed by the court.

(3) Upon receipt of a petition for commitment, recommitment, or emergency commitment, the court shall order the office of the state public defender, provided for in 47-1-201, to assign counsel for the respondent. If the parents are indigent and if the parents request it or if the guardian is indigent and the guardian requests it, the court shall order the office of state public defender to assign counsel for the parents or guardian pending a determination of indigence pursuant to 47-1-111."

**Renumber:** subsequent sections

3. Page 4, line 28 through page 4, line 30.

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**Following:** "(4)" on line 28

**Strike:** "A copy" on page 4, line 28 through "of filing." on page 4, line 30

**Insert:** "The county attorney shall immediately mail a copy of the petition to the residential facility screening team, the respondent's parents or guardian, if any, and the respondent's counsel. The county attorney shall ensure that the petition is promptly hand-delivered to the respondent."

4. Page 5, lines 18 through 22.

**Strike:** subsection (3) in its entirety

**Renumber:** subsequent subsections

5. Page 6, line 6.

**Following:** "subsection"

**Strike:** "(5)"

**Insert:** "(4)"

6. Page 9, line 12.

**Following:** "bodily"

**Strike:** "harm"

**Insert:** "injury, as defined in 45-2-101"

7. Page 10, line 3.

**Following:** "bodily"

**Strike:** "harm"

**Insert:** "injury, as defined in 45-2-101"

8. Page 12, line 13.

**Following:** "bodily"

**Strike:** "harm"

**Insert:** "injury, as defined in 45-2-101"

9. Page 13, line 23.

**Strike:** "2 and 11"

**Insert:** "3 and 12"

10. Page 13, line 24.

**Strike:** "2"

**Insert:** "3"

11. Page 13, line 25.

**Strike:** "11"

**Insert:** "12"

And, as amended, do pass. Report adopted.

**HB 278**, do pass. Report adopted.

**JUDICIARY** (Rice, Chairman):

2/1/2007

**HB 272**, introduced bill, be amended as follows:

1. Title, line 5.

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**Following:** "SEXUAL"  
**Insert:** "OFFENDER"  
**Following:** "OR"  
**Insert:** "A"

2. Title, line 6.  
**Following:** "SEXUAL"  
**Insert:** "OFFENDER"  
**Following:** "OR"  
**Insert:** "A"  
**Strike:** "3 YEARS"  
**Insert:** "YEAR"

3. Page 1, line 29.  
**Strike:** "3 years"  
**Insert:** "year"

4. Page 2, line 23.  
**Strike:** "3 years"  
**Insert:** "year"

5. Page 3, line 5.  
**Following:** "46-23-509"  
**Insert:** "or is a violent offender"  
And, as amended, do pass. Report adopted.

**HB 341**, do pass. Report adopted.  
**HB 353**, do pass. Report adopted.  
**HB 361**, introduced bill, be amended as follows:

1. Title, line 5.  
**Strike:** "CITIZEN"  
**Insert:** "MEMBER OF THE ARMED FORCES OF THE UNITED STATES ON FEDERAL ACTIVE DUTY OR  
A RESIDENT OF THE UNITED STATES"

2. Page 2, lines 6 and 7.  
**Strike:** "citizen" on line 6 through "upon" on line 7  
**Insert:** "member of the armed forces of the United States on federal active duty or a resident of the United States at  
the time of"

3. Page 2, line 8.  
**Following:** " \_ "  
**Insert:** "For the purposes of this subsection, residency must be determined in accordance with 1-1-215."

And, as amended, do pass. Report adopted.

**BUSINESS AND LABOR** (Mendenhall, Chairman):  
**HB 300**, introduced bill, be amended as follows:

2/2/2007

1. Title, line 6 through line 7.

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**Strike:** "REQUIRING" on line 6 through "STATEMENT;" on line 7

2. Page 2, line 10 through line 11.

**Strike:** subsection (c) in its entirety

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 2/1/2007  
**SB 4**, introduced by Harrington  
**SB 81**, introduced by Schmidt  
**SB 89**, introduced by Williams  
**SB 159**, introduced by Harrington  
**SB 185**, introduced by Hawks  
**SB 248**, introduced by Story  
Correctly engrossed: **HB 1, HB 154, HB 199, HB 264, HB 272, HB 300.** 2/2/2007

**MESSAGES FROM THE GOVERNOR**

February 2, 2007

The Honorable Scott Sales  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Representative Sales:

Please be informed that I have signed **House Bill 1** sponsored by Representative Sinrud, **House Bill 10** sponsored by Representative Franklin, and **House Bill 42** sponsored by Representative McChesney on February 2, 2007.

Sincerely,

BRIAN SCHWEITZER  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 545**, introduced by Phillips, referred to Taxation.  
**HB 546**, introduced by Phillips, Wilmer, Pomnichowski, Sesso, Hollenbaugh, Wiseman, referred to Transportation.  
**HB 547**, introduced by Sinrud, Parker, Sales, referred to State Administration.  
**HB 548**, introduced by Himmelberger, referred to Judiciary.  
**HB 549**, introduced by Himmelberger, referred to Judiciary.  
**HB 550**, introduced by Bixby, referred to Judiciary.  
**HB 551**, introduced by Becker, Villa, Gillan, Himmelberger, Wilmer, Morgan, Arntzen, referred to Appropriations.  
**HB 552**, introduced by Erickson, referred to Taxation.  
**HB 553**, introduced by Callahan, Musgrove, Sesso, referred to Business and Labor.

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**HB 554**, introduced by Cohenour, referred to Judiciary.

**HB 555**, introduced by Grinde, Cordier, Villa, Erickson, Jacobson, Hamilton, Cohenour, Raser, Driscoll, Henry, Branae, referred to Natural Resources.

**HB 556**, introduced by McChesney, referred to Transportation.

**HB 557**, introduced by Heinert, L. Jones, Jackson, Gebhardt, Everett, McNutt, Blasdel, referred to Natural Resources.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 26**, introduced by Callahan, Raser, Hiner, Rice, Weinberg, W. Jones, Parker, McGee, Grinde, Stoker, Bergren, Ward, Gallus, Williams, Jopek, Bixby, Groesbeck, Hendrick, Campbell, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Vincent in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 149** - Representative Jopek moved **HB 149** do pass.

**HB 149** - Representative Wiseman moved **HB 149**, second reading copy, be amended.

Amendment failed as follows:

Ayes: Augare, Barrett, Bergren, Bixby, Caferro, Callahan, Campbell, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jore, Kottel, McAlpin, McGillvray, Noonan, Parker, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 41

Noes: Ankney, Arntzen, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Clark, Cohenour, Erickson, Everett, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Raser, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 149** - The motion to pass **HB 149** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane,

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Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Peterson.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 174** - Representative Lambert moved **HB 174** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Beck, Butcher, Callahan, Hawk, Hiner, Mendenhall, Peterson, Sonju.

Total 8

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

**HB 255** - Representative Clark moved **HB 255** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 257** - Representative Lake moved **HB 257** do pass.

**HB 257** - Representative Bergren moved **HB 257**, second reading copy, be amended.

Amendment failed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 257** - The motion to pass **HB 257** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Excused: None.

Total 0

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Absent or not voting: None.  
Total 0

**HB 322** - Representative Sinrud moved **HB 322** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 96

Noes: Bixby, Campbell, Jopek.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Stoker.  
Total 1

**HB 470** - Representative Olson moved **HB 470** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 99

Noes: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Keane.  
Total 1

**HJR 5** - Representative Lange moved **HJR 5** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh,

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Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Driscoll, Everett, Groesbeck, Hawk, Taylor.

Total 5

Excused: None.

Total 0

Absent or not voting: Becker.

Total 1

**HR 3** - Representative Lange moved **HR 3** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Blasdel, Dutton, Everett, Hawk, Himmelberger, Jore, Koopman, McGillvray, Mendenhall, Ripley, Ross, Taylor.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Vincent moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Augare, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

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Noes: Becker, Bergren, Dickenson.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Arntzen, Bixby, Driscoll, Franklin, Gallik, Jayne, Sonju, Wilmer.  
Total 8

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 120** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 95

Noes: Jore, Koopman, Wells.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Beck, Sands.  
Total 2

**HB 171** passed as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.  
Total 73

Noes: Ankney, Barrett, Beck, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Peterson, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Vincent, Wells, Mr. Speaker.  
Total 27

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

**HB 225** passed as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Driscoll, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 59

Noes: Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Villa, Wilmer, Wilson, Windy Boy.

Total 40

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

**HB 247** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Boggio, Dutton, Hilbert, Himmelberger, Jore, Malcolm, Sonju.

Total 7

Excused: None.

Total 0

Absent or not voting: Thomas.

Total 1

**HB 251** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 260** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Boggio, Kasten.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 281** passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner,

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Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 48

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Lange moved **HB 174**, introduced by Lambert, be rereferred to the Committee on Appropriations. There being no objections, so ordered.

**SPECIAL ORDERS OF THE DAY**

**HB 387**, introduced by Caferro, the following sponsors were added:  
Reps. Ankney, Augare, Becker, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Nooney, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

**HB 551**, introduced by Becker, the following sponsors were added:  
Reps. Branae, Campbell, Driscoll, Glaser, Grinde, Lambert, Lange, McGillvray, Small-Eastman, Thomas, Van Dyk, Senator Moss.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 8:00 a.m., Saturday, February 3, 2007. Motion carried.

House adjourned at 2:25 p.m.

MARILYN MILLER  
Chief Clerk of the House

SCOTT SALES  
Speaker of the House